

**THE NOTES BELOW REPRESENT NOTES
AFTER THE SECOND CHECK HAS BEEN
COMPLETED.**

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI **PROBATE**

DATE: 02/04/05 TIME: 8:30 DEPT: S5

CASE #: SPASS4967

CASE NAME: ESTATE OF ANDREW A MURRY

HEARING:

Petition for FOR DETERMINATION OF ENTITLEMENT TO ESTATE
DISTRIBUTION

COUNSEL:

PUBLIC ADMINISTRATOR (PET)...GRESHAM SAVAGE NOLAN & TILDEN
ANDREW A MURRY (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Determination of Entitlement to Estate.

Continued from December 03, 2004, at request of counsel. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Per PC 11700, a petition to determine entitlement can be made "at any time after letters are first issued". Letters have not been issued in this estate. An Order to Summarily Dispose of the Estate was issued by the Court on 5/22/03. It appears this petition is improper at this time as letters have not been issued to the PA. Does counsel believe this summary order is in lieu of letters? If so, file Points & Authorities to support this petition.
2. Petitioner alleges that there is a dispute between decedent's daughter (Martha Wescott) & son (Allan Murry) as to whether the signature on the Will is that of the decedent's. Petitioner further alleges that the witnesses to the Will are unable to be located. However, witness John Welch's current address is 13575 Cholame Road, Victorville, CA 92392 according to real property title records (11/04).
3. By the allegations of this petition, it appears to be a Will contest rather than a determination of entitlement and, therefore, procedurally incorrect under PC 8250.

RECOMMENDATION: Deny petition and PA to file Petition for Letters of Administration.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS03986

CASE NAME: ESTATE OF ARTHUR FLORES ET AL

HEARING:

Hearing re: REPORT TO COURT RE STATUS AND ACCOUNTING

COUNSEL:

ARTHUR FLORES JR (PET)...TOMLINSON, NYDAM AND PRINCE
ARTHUR FLORES (DEC)...
DEPT. OF HEALTH SERVICES (TP)...PRO/PER

GENERAL INFORMATION: Continued from May 21, July 23, October 1 and November 19, 2004 at request of Attorney Nydam who indicates that escrow funds are forthcoming.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Prior status report indicates petitioner trying to sell the real property. Delay because of litigation over title. Litigation is apparently complete.
2. Status report did not comply with notice requirements of Pr.C. § 12201.

RECOMMENDATION: If no accounting filed or proper status report filed, set OSC re Failure to file Accounting. Clerk to send notice to bonding company.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS05260

CASE NAME: ESTATE OF MATTHEW J GILL

HEARING:

FIRST AND FINAL Account and Report of STEVEN R MCBEAN and
Petition for allowance of fees filed.

COUNSEL:

NOMA MCBEAN	(PET)...	JOHN M RAGER
MATTHEW J GILL	(DEC)...	
STEVEN R MCBEAN	(SA)...	JOHN M RAGER
LYNN M GILL	(TP)...	SNYDER, HANCOCK & ASHWORTH

GENERAL INFORMATION: This matter is set for a hearing on First and Final Account and petition for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Statutory fees are \$5,600.96. Petitioner seeks additional fees in amount of \$2,315 for reimbursement of costs and labor in fixing up home in preparation for sale. Amount appears itemized. Ok.
2. Account looks ok.

RECOMMENDATION: Recommend for approval. Set hearing for receipts and final discharge for February 17, 2006.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS05530

VACATED

CASE NAME: EST OF BILLY G HORNSBY

HEARING:
Probate status report filed.

COUNSEL:
GENEVA HORNSBY (PET)...WILLIAM J WARD
BILLY G HORNSBY (DEC)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS05880

SEE ALSO # 56

CASE NAME: ESTATE OF WALTER E ALLEN

HEARING:

OSC re: STATUS OF REAL PROPERTY

COUNSEL:

SUSAN M ROBERTS (PET)...PRO/PER
WALTER E ALLEN (DEC)...

GENERAL INFORMATION: This matter is set for a hearing on OSC re Status of real property after the court denied the petition for waiver of appraisal by Probate Referee. Clerk has given notice.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Petitioner is sole beneficiary of the estate and proposes to value the real property at 1380 W. 48th St., #51, San Bernardino, by herself at \$137,000. Petitioner alleges that the "value of the property is not known, as there was never any intention to sell said real property." Petitioner alleges she occupies the property.
2. According to real property title records, petitioner transferred title to the property into her sole name on or about 7/23/04 **without** a Court order. Additionally, a mortgage was taken against the property on 9/2/04 for \$80,000. Despite the fact that petitioner is the sole beneficiary, Court may wish to direct petitioner to transfer title of the real property back to the estate in order to avoid harm to creditors. Letters were issued to petitioner on 6/4/04 and information is unknown as to creditors.
3. A Probate Referee was designated by Court Order on 6/4/04. Need Notice of Hearing and Proof of Service on Probate Referee, B.M. Garvin, per PC 8903(c)(5)

RECOMMENDATION: None.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS05945

CASE NAME: EST OF MICHAEL DENNIS HENOCK

HEARING:

FIRST AND FINAL Account and Report of JULIE BROWN and Petition
for allowance of fees filed.

COUNSEL:

JULIE BROWN (PET)...PRO/PER
MICHAEL DENNIS HENOCK (DEC)...

GENERAL INFORMATION: This matter is set for a hearing on First and Final Account and
Petition for allowance of fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File notice of hearing and proof of service.
2. Statutory fees are \$4,487.81. Petitioner waives all but \$1,000 of the fee.
3. Petitioner requests a reserve in the amount of \$1,500 for tax preparation fees.
4. Copies of investment account statements verifying the balance of cash and/or securities shall be attached to all inventories and accountings. Please file these documents.

RECOMMENDATION: Recommend for approval subject to notes 1 and 4.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS05963

CASE NAME: ESTATE OF WILLIE ANDERSON

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

JERRY L ANDERSON (PET)...PRO/PER
WILLIE ANDERSON (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Probate, full authority
Continued from 9/24/04 and 11/19/04 to clear probate notes

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED:

1. Has not paid filing fees. Court rejected waiver request. Did order installment payments of \$50 per. Has not made first payment. Court should not hear matter until the first payment made. **Still no payment as of January 14, 2005.**
2. Need to file Notice of Petition to Administer Estate.
3. Need proof of subscribing witnesses, as will is not self-proving. This is not a holographic will.
4. Will waives bond.
5. Petition incorrectly states that no executor is named in will. Petitioner is one of the named executors. Court may correct by interlineations.

RECOMMENDATION:

Need to pay filing fees. Once paid, RFA subject to 2 & 3. Once approved, set hearing for filing of Inventory & Appraisal for 9/2/05. Set hearing for status report and/or accounting for 4/21/06. Accountings to be filed 30 days in advance. Note local rules regarding filing of bank statements.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS05982

CASE NAME: MTR RE MARJORIE LOUISE HANEY

HEARING:

FIRST AND FINAL Account and Report of MARJORIE SMITH and
Petition for allowance of fees filed.

COUNSEL:

MARJORIE SMITH (PET)...GUAY P WILSON
MARJORIE LOUISE HANEY (DEC)...

GENERAL INFORMATION: This matter is set for a hearing on First and Final Account and
Petition for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Notice of hearing should have served on Valerie Sue Smith and Robert Winn Lienau as they are named in the will. File proof of service.
2. A supplemental inventory and appraisal has been filed as additional assets were discovered. An amended Summary of Account has been filed.
3. Due to increased sized of estate, statutory fees are now \$11,470.
4. Petitioner requests reserve of \$2,000 for closing expenses.
5. Pursuant to the Will, the decedent intended to set up two separate trusts for her two beneficiaries with directions to distribute portions of the trust funds to each of the beneficiaries incrementally upon the events of their 35th, 40th and 45th birthdates. One beneficiary is over 35 and the other over 40. The named trustee (petitioner) and the two contingent trustees are apparently declining to serve as trustees. Petitioner requests the residue of the estate be distributed to beneficiaries directly free of the trust as the purpose of the trust has failed since the beneficiaries are adults and economically stable. Will need verified declinations to act from petitioner and the contingent trustees. Will need verified declarations from beneficiaries consenting to termination of trust. (P.r. C. § 15403.) **Note:** *The petitioner and contingent trustees have filed declinations to act as trustee. However, beneficiaries have not filed consents to termination of trust.*

RECOMMENDATION: Recommend for approval subject to notes 1 and 4. If petition granted, set date for filing of receipts and final discharge for 2/17/06.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06174

CASE NAME: EST OF ELIZABETH HOLYFIELD

HEARING:

Petition for Probate, Letters of Tstmntry with full authority
under IAEA.

COUNSEL:

RANDALL LEE HOLYFIELD (PET)...A. MERLE SESSIONS
ELIZABETH HOLYFIELD (DEC)...

GENERAL INFORMATION: This matter is set for a hearing on Petition for Probate, Letters Testamentary with full Authority under IAEA.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond.
2. File notice of petition for probate.

RECOMMENDATION: Recommend for approval subject to note 3. If petition granted, court will have to set future dates. Set hearing for the inventory and appraisal for September 2, 2005. Set hearing for the accounting for April 21, 2006. File documents 30 days prior to the hearing.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06198

CASE NAME: MTR OF DARLEEN MARIE HARP

HEARING:
PETITION FOR LETTERS OF ADMINISTRATION W/WA W/FULL AUTHORITY
UNDER IAEA.

COUNSEL:

WANDA TORRES	(PET)...	CHRIS HANSEN
SANDRA KUENY	(PET)...	CHRIS HANSEN
DARLEEN MARIE HAMP	(DEC)...	
WILLIAM HARP	(TP)...	LAYNE A BARTHOLOMEW

GENERAL INFORMATION:

This case is set for hearing on Petition for Letters of Administration w/Full Authority under IAEA.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Petitioners request bond be set at \$161,000. Ok.

RECOMMENDATION:

RFA . Once approved, set hearing for filing of the Inventory & Appraisal for September 2, 2005. Set the hearing for the accounting and/or status review for April 21, 2006. Accountings to be filed 30 days in advance. Note local rules regarding the filing of bank statements.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06243

CASE NAME: ESTATE OF BILL WAYNE HUGHES, SR

HEARING:

Petition for Probate, Letters of Tstmntry with full authority
under IAEA.

COUNSEL:

BILL WAYNE HUGHES JR (PET)...FRANK J PRAINITO
BILL WAYNE HUGHES SR (DEC)...

GENERAL INFORMATION: This matter is set for a hearing on Petition to Probate Letters Testamentary with Full Authority.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond.
2. Petitioner submitted final inventory and appraisal. Does court wish to vacate inventory and appraisal date?

RECOMMENDATION: Recommend for approval. If petition granted, court will have to set future dates. Set hearing for the inventory and appraisal for September 2, 2005. Set hearing for the accounting for April 21, 2006. File documents 30 days prior to the hearing.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06244

CASE NAME: EST OF LEON WILLIS FOURNIER

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

MARY SNYDER GATES (PET)...HARTNELL HORSPOOL & FOX
LEON WILLIS FOURNIER (DEC)...

GENERAL INFORMATION: This matter is set for a hearing on Petition for Probate, Letters Testamentary with Full Authority.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond.
2. Will refers to a daughter, Sandra Last name unknown. This heir, although disinherited, is entitled to notice. Petitioner has filed due diligence declaration and requests that the publication of Petition to Administer Estate be deemed sufficient. Ok.
3. Petition filed by contingent executor. Declination of executor in file.

RECOMMENDATION: Recommend for approval subject to note 2. If petition granted, court will have to set future dates. Set hearing for the inventory and appraisal for September 2, 2005. Set hearing for the accounting for April 21, 2006. File documents 30 days prior to the hearing.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06246

CASE NAME: MTR OF LEONARD T WOMACK

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

L WAYNE WOMACK (PET)...JOHN M RAGER
LEONARD T WOMACK (DEC)...

GENERAL INFORMATION: This matter is set for a hearing on Petition for Probate, Letters Testamentary, with Full Authority.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond.
2. Petitioner resides in Oregon and has provided his permanent address.

RECOMMENDATION: Recommend for approval. If petition granted, court will have to set future dates. Set hearing for the inventory and appraisal for September 2, 2005. Set hearing for the accounting for April 21, 2006. File documents 30 days prior to the hearing.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 8:30 DEPT: S5

CASE #: VPRVS01510

CASE NAME: MTR OF H S OSBORNE TRUST

HEARING:
Petition for FOR INSTRUCTION

COUNSEL:
H S OSBORNE (DEC)...
MELODIE Z SCOTT (TEE)...HARTNELL HORSPOOL & FOX
NANCY L GRUENEWALD (THOMAS W GILLEN)...THOMAS W

GENERAL INFORMATION: This matter is set for a hearing on Petition for Instructions by trustee of the Osborne Trust.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner was appointed successor trustee of the Trust on February 17, 2002.
2. One of Trust assets is 100% of the issued and outstanding shares of the Osborne Tank and Supply Company, Inc. (Company). Petitioner is the sole director of Company. She is also the president, CFO and secretary.
3. Remainder beneficiaries of the Trust are John Osborne, Joyce Hartman, Gary Osborne and Nancy Gruenwald. In 2001, these same parties entered into an agreement whereby Gruenwald would purchase Company and it's assets. At the time of the agreement, John Osborne and Joyce Hartman were officers of Company. The agreement has resulted in extensive litigation among the parties and is currently being heard in Victorville. (VCVVS 034073) Petitioner is one of the named defendants.
4. Counsel Louis Stearns represents John Osborne and Joyce Hartman as well as Company. Gruenwald has filed a motion in the litigation attempting to disqualify Stearns for concurrent representation of clients in conflict. The motion has been continued to allow this court to hear this petition for instructions.
5. Petitioner requests that she be allowed to appoint John Osborne and Joyce Hartman officers of the Company for the purposes of the Victorville litigation.

She believes this would be in the best interests of the Trust for several reasons. First, petitioner was not involved in the Trust or the Company at the time the 2001 agreement was entered into. Because she has no direct knowledge of the circumstances surrounding the 2001 agreement, she is not able to fully assist in the litigation on behalf of the Company. Petitioner believes John Osborne and Joyce Hartman are in a better position to assist in the development of a defense against Gruenwald because they were personally involved in the agreement. Second, if John Osborne and Hartman were appointed officers of Company, they would be able to hire Attorney Stearns and waive any conflict which might exist between them and Company. Petitioner believes this would be in the Trust's best interest because Counsel Stearns has been associated with the Osborne family for many years and is familiar with Company. As such, he is in the best position to represent Company. To bring a new attorney on to represent Company at this juncture would be costly to the Trust.

6. Petitioner maintains that she has not preference for either side in the litigation and that she is making this request solely to benefit the Trust.
7. Were Osborne and Hartman removed as officers? Did they resign? Why was petitioner appointed as sole director/officer of Company?
8. There is no objection to the petition.

RECOMMENDATION: Determine whether evidentiary hearing is necessary.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI **CONSERVATORSHIPS**

DATE: 02/04/05 TIME: 10:00 DEPT: S5

CASE #: SC SS02789

CASE NAME: MTR OF ANTHONY OCCHINO

VACATED

HEARING:
Petition for Appointment of Conservator

	COUNSEL:
VIRGINIA OCCHINO	(CPE)...HARTNELL HORSPOOL & FOX
ANTHONY OCCHINO	(CEP)...

No file to review

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE RETIRED JUDGE FRANK GAFKOWSKI ACCOUNTINGS

DATE: 02/04/05 TIME: 10:01 DEPT: S5

CASE #: SC SS01250

CASE NAME: IN THE MATTER OF EDWARD V STEWART

HEARING:
Hearing Re: CURRENT ACCOUNTING (TRUST).

COUNSEL:

EDWARD V STEWART	(CEP)...ANNETTE G DE BELLEFEUILLE
CARLA COGGINS	(CPE)...BETTY S.N. AUTON
CRAIG E. WILSON	(TP)...FULLERTON LEMANN SCHAEFFER & D

GENERAL INFORMATION:

This case is set for hearing on Current Accounting (Trust)

Continued from 8/30/04 & 11/19/04. Court advised that parties have resolved the issues as to the current accounting on the conservatorship, and are still working on the Trust accounting and accounting to be filed by November. Nothing new filed. A Current (third) accounting is due for period 1/1/03 – 12/31/04.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Background:
 - a. Letters (including dementia powers) issued 10-2-98. Daughter is conservator. Conservatee objected and counsel was appointed. After a thorough review, including examination by a few independent doctors. Court-appointed atty (McGoldrick) was convinced that conservatorship was necessary. A bond of \$15,000 was posted. The original bond of \$700,000 was reduced because it turned out that almost all of the assets were trust property.
 - b. First Accounting filed on 1-9-00 for period of 9-1-98 to 9-21-99. Accounting was approved on 5-9-00. The approval took into account an objection regarding conservatorship fees, as ½ of the requested fees related to services provided in handling the trust paperwork.

- c. Conservatee filed a Petition for Accounting by the trustee – his daughter/conservator. Court granted this petition on 5-9-00 and ordered an accounting filed within 90 days. Because of issues of confidentiality, the trust accounting was filed as “confidential”.
- d. On 5-11-01, the First Trust Account was approved, subject to the filing of a corrected account. It appears that the corrected accounting was filed on 11-16-01.
- e. Conservator was asking to terminate conservatorship of the estate as all the assets could be transferred to the trust. The conservatorship estate started out with \$9020.78 in assets, and so the balance for transfer was not high (after payment of conservator fees of \$5200 and attorney fees). It appears that the request for the termination of the conservatorship assets was granted on 11-16-01, with the court retaining jurisdiction to order accountings in the trust throughout the life of the conservatee.
- f. Second & Final Conservator Account filed on 2-20-02. As of 6-21-02, court had ordered that any objections to the conservator (and two trust accountings) be filed by 6-6-02. None filed and court continued the matter.
- g. On 6-11-02, objections filed by conservatee (court-appointed attorney deBellefeuille, McGoldrick previously relieved). These objections to the Trust Accounting, and not the Conservatorship Accounting.
- h. Amended 2nd Accounting (Conservator) filed on 6-13-03. Although attorneys may have been discussing the 2nd Conservator Account, there does not appear to be any written objections filed (filed for Trust account).
- i. **Trust Accounting at issue:** Second Accounting of Stewart Family Trust filed on 3-14-02. Objections filed on 7-11-02 and Supplement to account filed on 7-31-02. Second Objections filed on 7-31-02. Reply filed. This is the matter which should be heard as “contested”. **Court should keep firm MSC/Trial date with no continuances granted except pursuant to noticed motion complying with CRC 375.**

RECOMMENDATION (Trust Accounting):

Set MSC for next available date. Set trial for next available date.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 10:01 DEPT: S5

CASE #: SC SS01340

SEE ALSO #28

CASE NAME: IN THE MATTER OF MARGARITA ESPINOZA

HEARING:

FIRST CURRENT Account and Report of LAWRENCE A DEAN II and
Petition for allowance of fees filed.

COUNSEL:

MARGARITA M ESPINOZA (CEP)...
MICHAEL S GUSTAVSON (CPE)...
LAWRENCE A DEAN II (SC)...SHERRI L KASTILAHN

GENERAL INFORMATION:

This case is set for hearing on 1st Account

Accounting period: 7/21/03 – 7/31/04 (13 months)

Assets on Hand: \$244,626.20, (consisting of \$142,084.34 cash, real property and burial pre-need)

Income Sources: State Teacher's pension and interest income

Monthly disbursement items (average): 10 per month

Location of Conservatee: own residence

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner requests compensation of \$12,769.15. Billed at various rates for various services no exceeding \$50.00 per hour (average hourly rate: \$48) for 266 hours. Itemized. The following are billing concerns:
 - (a) Services included the initial set up of the conservatorship, Ok.
 - (b) The monthly financial services were charged at 2 hours per month in 7/03 and then increase to 5.95 in 8/03-5/04. In 6/04-7/04, the financial services again increase to 8 hours. It does not appear that after 6/04 there was any increase to the financial services and the amount appears excessive. File verified supplement to explain need for increase in

financial services. **Supp. Filed:** *Indicates that additional assets were subsequently located and required more time to manage estate. Also spent additional time due to real property sale and subsequent vacation of sale. This explanation does not explain why it took conservator 6 to 8 hours one per month to pay bills and reconcile bank statements.*

(c) The following inter-disciplinary team meetings are held on a Saturday and/or Sunday: 10/19/03 and 6/19/04. Is it a customary practice to hold these meetings on a weekend? File verified supplement. **Supp. Filed:** *Indicates that “the meetings were held on the weekend due to an emergency or drastic change in the condition of the conservatee.” Supp. does not set forth the specifics in this particular case.*

(d) On 1/8/04, there is a charge of 1.10 (\$71.50) for reviewing and executing a petition for sale of 232 Mt. Vernon property. This amount appears excessive. File verified supplement to explain charge. **Supp. Filed:** *Indicates that the City of San Bernardino had filed a lis pendens on the property and petitioner worked with the buyer and agent to remove the cloud on title. “All of these issues were being reviewed and considered at the time the petition was being reviewed and executed by Petitioner.” Explanation does not really explain why it too 1.10 hours to review and execute the petition for sale. Did petitioner also bill for the time expended to clear title? Was title resolved prior to the filing of the petition for sale?*

2. Attorney requests fees of \$9,620.00. Billed at \$200 per hour all for attorney time for 48.10 hours. Appear itemized. JTD
3. Bond is currently fixed at \$85,000. However, balance of cash on hand is \$142,084.34 plus annual income of approximately \$35,000.00. Court to require additional bond of \$92,000. **Note:** *Petitioner indicates will post additional bond of \$92,000.*

RECOMMENDATION: Court to consider supplemental—may wish to request further supplement or adjust fee. Once approved, set next accounting for 2/9/07. Accounting to be filed 30 days in advance.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 10:01 DEPT: S5

CASE #: SC SS01798

CASE NAME: MTR RE BURL MCAGER SHOCKLEY

HEARING:
Petition for FOR ATTORNEY'S FEES

COUNSEL:

BURL MCAGER SHOCKLEY	(CEP)...	JUDITH RUNYON
LAWRENCE A DEAN II	(CPE)...	SHERRI L KASTILAHN
CHARLOTTE F SHCOKLEY	(OBJ)...	DENNIS J HEALEY
KAREN SHOCKLEY	(DENNIS J HEALEY)...DENNIS J
US DEPT OF VETERANS AFFAIRS	(ALAN K ACHEN)...ALAN K AC
ELNEECE STEWART	(HASSEN & ASSOCIATES)...HASSEN &
FLORINE B SHOCKLEY	(J. DAVID HORSPOOL)...J. DAVID

GENERAL INFORMATION:

This case is set for hearing on Petition for Attorney's Fees filed by Attorney J. David Horspool attorney for former conservator Florine B. Shockley
Current Conservator is Lawrence Dean.

Continued from 12/3/04 for Supplement to be filed. Karen Shockley has filed a detailed declaration in opposition to request for attorney's fees.

Objections filed by Attorney Judith Runyon, attorney for conservatee (tabbed)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Attorney requesting fees of \$15,736 plus costs of \$380.84
2. Need to file notice of hearing and proof of service on VA.
3. The services rendered to Florine Shockley occurred in 2001. Court should note that the attorney appears to be billing at 2004 rates rather than 2001 rates. Attorney Kastilahn, who represents Mr. Dean, was charging \$175 per hour in 2001, which would appear to be the correct rate for attorneys in 2001 (rather than the \$250 requested in current petition).

4. Florine Shockley had been married to the conservatee, Burl Shockley. She was appointed temporary conservator on April 9, 2001. The Shockley's daughter filed an objection to the petition on the basis of Florine Shockley's unfitness. It was alleged that Florine Shockley and her boyfriend had badgered Burl Shockley at the bank in order to get Mr. Shockley to withdraw money for her. She was also taking several medications and may not have had sufficient capacity to take care of him. She had also stopped paying the bills for Burl Shockley and caused foreclosures on property owned by him. When she was petitioning for conservatorship, she failed to disclose all assets. Mr. Shockley was receiving Social Security income plus VA benefits, plus he owned some other property. On May 18, 2001, court appointed counsel for the proposed conservatee. The parties agreed that Mr. Dean could become the conservator and he was appointed on July 13, 2001. An attempt at an accounting was filed by Florine Shockley for September 2001, to cover the time she was a temporary conservator. A request for waiver of accounting was presented, on the basis that there were minimal assets in the estate, including no more than \$1000 per month other than public benefits. Yet the schedule prepared by the attorney showing the receipts showed income of almost \$3000 per month, not counting the "public benefits" of Social Security. The attorney should have realized that it would be impossible to waive accounting under those factual circumstances. An objection was filed to the waiver/accounting. The matter was continued to October 26, 2001. At that time, Attorney Horspool was substituted out by Florine Shockley. Objections were later withdrawn and the accounting was approved on December 21, 2001.
5. The billing presented is not in chronological order and is difficult to follow.
6. No Points & Authorities presented to support the request for payment by the conservatee's estate for the former temporary conservator's attorney fees.
7. Issues regarding specific billing entries:
 - a. BCH billed .3 for appearance on 5-9-01. There was no court hearing on that date. On 5-18-01, there was a hearing, which was attended by J. David Horspool. Attorney D. Horspool billed 1 hour for attendance on that date.
 - b. BCH billed .3 for appearance at court on 7-10-01. There was no court hearing on that date. On 7-13-01, there was a Conference which was attended by Walter Moore. Attorney D. Horspool billed 1 hour for attending that hearing.
 - c. BCH billed .3 for appearance at court on 8-13-01. There was no court hearing on that date. There was a hearing on 7-13-01 which was attended by Walter Moore. Attorney D. Horspool billed 1 hour for attending that hearing.
 - d. BCH billed .3 for appearance at court on 10-01-01. There was no court hearing on that date. There was a hearing on 10-5-01 which was attended by Bryan Hartnell. However, this was a non-productive appearance as the lawfirm had mailed out a Notice of Continuance for

- the 10-5-01 hearing to all the parties on 9-27-01 and the matter was off-calendar. Attorney D. Horspool billed 1 hour for appearing on 10-5-01.
- e. BCH billed .3 for appearance at court on 10-23-01. There was no court hearing on that date. There was a hearing on 10-26-01. No one from the lawfirm attended as the Substitution of Attorney was filed on that date. Attorney D. Horspool billed 1 hour for attending that hearing.
 - f. BCH billed .3 for appearance at court on 12-14-01. There was no court hearing on that date. The next hearing occurred on 12-21-01. No one attended from this lawfirm – as the attorneys were no longer representing a party.
 - g. BCH billed .3 to review calendar notes and prepare for hearing re: I & A on 5-13-02. However, the attorneys were no longer involved in this matter.
 - h. Attorney D. Horspool billed 1 hour for appearing at a hearing on 5-17-02. The minute order does not indicate he was present. Attorney Kastiliahn, who represents the conservator, appeared by telephone.
 - i. Attorney K. Horspool billed 10 hours for drafting a TRO which was never filed. This was supposed to be against the daughters for elder abuse. Petition indicates that investigation was made of the claims of Florine Shockley. The TRO documents were prepared in April 2001. Before that time, the attorneys as a group billed for conferences with Florine Shockley and Dennis Cizan and drafting the pleadings. There are no billing entries for investigation of the claims or phone calls to persons with knowledge.
 - j. Attorney K. Horspool billed 1 hour on 5-9-01 to review objection to the Conservatorship petition filed by Daughter, Charlotte Shockley. Attorney K. Horspool billed 1.5 hours on 5-11-01 to review the objection.
 - k. Several billing entries for telephone calls to Dennis Cizan. He appears to be Florine Shockley's boyfriend who helped her badger Mr. Shockley at the bank. Was Mr. Cizan the client? 2.3 hours for phone calls, including billing .1 several times for leaving a message. According to the petition for fees, Florine Shockley introduced Mr. Cizan as a private investigator who investigated claims of elder abuse.
 - l. Attorney K. Horspool billed for drafting the conservatorship petition on 7-9-01; the Florine Shockley petition was drafted in April 2001. For some reason, the attorney was filing the petition for Mr. Dean.
 - m. Attorney K. Horspool billed 5.9 hours for preparing the accounting/waiver.
 - n. Attorney K. Horspool billed 4 hours to prepare this petition for attorney fees, and estimates an additional 1.3 hours for future work.
 - o. Petition states that when Mr. Cizan provided a report regarding the daughters' abuse, that the attorney attempted to confirm such allegations by contacting the individuals named in the report. There doesn't appear to be any billings, as described, which support the claim that investigation was made.

RECOMMENDATION: Set for evidentiary hearing.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 10:01 DEPT: S5

CASE #: SC SS01798

CASE NAME: MTR RE BURL MCAGER SHOCKLEY

HEARING:

THIRD CURRENT Account and Report of LAWRENCE A DEAN II and
Petition for allowance of fees filed.

COUNSEL:

BURL MCAGER SHOCKLEY	(CEP)...	JUDITH RUNYON
LAWRENCE A DEAN II	(CPE)...	SHERRI L KASTILAHN
CHARLOTTE F SHCOKLEY	(OBJ)...	DENNIS J HEALEY
KAREN SHOCKLEY	(DENNIS J HEALEY)...DENNIS J
US DEPT OF VETERANS AFFAIRS	(ALAN K ACHEN)...ALAN K AC
ELNEECE STEWART	(HASSEN & ASSOCIATES)...HASSEN &
FLORINE B SHOCKLEY	(J. DAVID HORSPOOL)...J. DAVID

GENERAL INFORMATION:

This case is set for hearing on 3rd Account
Accounting period: 8/1/03 – 7/31/04 (12 months)
Continued from 12/23/04 to clear probate notes.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner requests compensation of \$8,117.35. Billed at \$48.50 hour for 167 hours. Itemized. Note: There are no time entries billed less than “.3” hour and repetitive billings such as “On-Site Assessment & Evaluation (3.0 hours), “Financial” (5.95 hours, in 6/04 this amount changes to 4.0 hours), “Real Property” (.5 hours). Question whether petitioner is billing for actual time spent. File verified supplement. **Note:** *Petitioner failed to submit supplemental on this point.*
2. Attorney requests fees of \$1,522.50, plus \$30.40 for costs advanced (itemized). Billed at \$175/hour for 8.7 hours. Itemized.
3. Bond is currently set at \$60,000 which petitioner alleges is sufficient (see note 4).

4. Petitioner lists "Liabilities at End" of accounting period as mortgages through Countrywide and EMC Mortgage Corporation totaling \$77,200.53. However, there is no real property listed on "Property on Hand". Question whether real property should be listed as property on hand and if so, bond amount may be insufficient due to total mortgages. File verified supplement. **Supp. Filed:** *Real property is in a trust and apparently not titled in conservatee's name. However, the mortgages on the property are in conservatee's name and therefore the payments come out of the conservatee's estate. Petitioner submits that there is no need to increase bond because the property is not an estate asset.*

RECOMMENDATION: Court may wish to order petitioner to submit supplemental as to note 1. Once approved, set next accounting for 12/29/06

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 10:01 DEPT: S5

CASE #: SC SS02146

CASE NAME: MTR OF JAMES PRICE

HEARING:

2ND CURRENT Account and Report of MELODIE Z. SCOTT and Petition
for allowance of fees filed.

COUNSEL:

MELODIE Z. SCOTT (CPE)...HARTNELL HORSPOOL & FOX
JAMES PRICE (CEP)...
US DEPT. OF VETERANS AFFAIRS (TP)...ALAN K ACHEN

GENERAL INFORMATION:

This case is set for hearing on 2nd Account
Accounting period: 6/26/03 – 6/30/04 (13 months)

Continued from 12/17/04 to clear calendar notes.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Need original statement for Community Bank CD for 6/30/04. **Supp. Filed:**
Petitioner indicates that Community Bank does not issue monthly statements (quarterly?) The last statement she has is from May 2004.
2. Petitioner requests fees of \$13,312.00, of which \$5,500.00 has been paid leaving a balance of \$7,812.00. Billed at various rates for various services for 261 hours with an average hourly rate of \$52. The following discrepancies are noted:
 - (a) On 6/19/03 petitioner charges .6 (\$51) for meeting with Attorney Horspool. Attorney Horspool does not record or charge for same meeting. **Supp. Filed:** *States that Horspool billed for meeting in prior accounting. This assertion is not supported by the documents. In the bill submitted by Hartnell, Horspool & Fox for the first accounting, there is no itemization for a meeting between Horspool and petitioner on June 19, 2003. The only thing reflected is that KEH (Karen Horspool) drafted a*

memo to petitioner on June 19, 2003 and billed .3. The court may wish to order further explanation or cut petitioner's bill by .6. I

- (b) On 9/23/03 petitioner charges .9 (\$40.50) to update burial information. What updating was done as petitioner previously reviewed burial information just 3 months earlier on 6/4/03. File verified supplement. **Supp. Filed:** *Petitioner states that even though she had reviewed the file in June, she was not aware that conservatee had previously purchased a pre-need burial plan. Thus, on September 23, 2003, she spent .9 reviewing the file and preparing the forms for a pre-need burial plan. She subsequently discovered that such a plan already existed and therefore canceled the application. As this activity was due to petitioner's inadvertence, the conservatee should not be billed for this time. Suggest court cut fee by .9 (\$40.50.)*
 - (c) On 11/21/03, petitioner charges .75 (\$63.75) for court appearance for accounting. Minute Order reflects only petitioner's attorney was present. **Supp. Filed:** *Petitioner indicates she was present in court and that minute order is inaccurate. Petitioner submits no evidence to substantiate her claim. Judge to decide.*
 - (d) There are two statement billings for fees for 6/1/04-6/30/04 which list a discrepancy for the balance of fees due as of 6/30/04. One statement reflects \$6,675 and the other statement reflects \$6,726 as being due. Which June, 2004 statement is correct? In addition, if the fees due as of 6/30/04 are \$6,675 or \$6,726 (with the credit of periodic monthly payments of \$500), how does petitioner come up with \$7,812? File verified supplement. **Supp. Filed:** *Petitioner claims \$6,675 is the correct ending balance. However, petitioner discovered that she was only paid \$5,000 during the accounting period, not \$5,500 as previously claims and therefore she is seeking fees in the amount of \$8,312. The accounting does not reflect this claim. The accounting reflects 11 payments of \$500 which equals \$5,500. Petitioner should be paid \$7,812.*
3. Attorney requests fees of \$3,854.00. Billed at \$210/hour for attorney time (15.40 hours) and \$50-\$100 for paralegal time (12 hours). Itemized. The following discrepancies are noted:
- (a) On 9/17/03 attorney charges .3 (\$63) for conference w/client re: accounting, status. Petitioner does not record or charge for same meeting. **Supp. Filed:** *Petitioner states she billed for the meeting under the heading of Conservatorship Administration.*
 - (b) On 10/3/03, attorney charges 1.0 (\$210) for court appearance re: review hearing. Minute Order reflects this hearing was continued due to the unavailability of Judge Williams. Clerk gave notice on 9/23/03. Question whether Court should reduce fees by \$210. **Supp. Filed:** *States attorney's records do not reflect that a minute order was received. Judge to decide.*
4. Petitioner requests reduction of bond to \$200,000. With current cash on hand and the annual SSA, VA, pension and interest income, Court should

set bond at \$225,000 (a reduction of \$25,000). **Supp. Filed:** *It appears that income is approximately \$30,000 per year. Non-real property assets amount to approximately \$170,000, therefore a reduction in bond to \$200,000 appears appropriate.*

5. **Note:** *Court received a copy of a VA letter dated January 11, 2005, sent to petitioner indicating that she is not in compliance with their requirements and if she does not comply within 20 days, benefits will be suspended and a new successor fiduciary appointed. This would not be in the best interests of the conservatee.*

RECOMMENDATION: Reduce petitioner's fee by \$155.25 (See notes 2a,b,c). Award fee in amount of \$7,656.75. Reduce attorney's fee by \$210 (See note 3b). Award attorney fees in amount of \$3,644. Reduce bond to \$200,000. Admonish petitioner that she needs to comply with VA regulations and standards in order that the conservatee's interests are protected. Does court wish to set a review date to determine whether petitioner has complied with VA requirements? If account approved, set next account for period of July 1, 2004 through June 30, 2005, with hearing date on October 7, 2005.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 10:01 DEPT: S5

CASE #: SC SS02408

CASE NAME: MTR OF FRANCES N. LOLLIS

HEARING:
Hearing Re: STATUS.

COUNSEL:

SCOTT S. CHRIST	(CPE)...KARL D MOWERY
FRANCES N. LOLLIS	(CEP)...KARIN HORSPOOL
LARRY D. CHRIST	(CE)...KARL D MOWERY
MERRY L AMBERG	(OBJ)...BARRY R REEMTS

GENERAL INFORMATION:

This case is set for hearing on Status on Amended Petition for Appointment of Conservator filed by Scott S. Christ naming Larry D. Christ as conservator. Continued from 11-4-03, 12-12-03, 3-5-04, 4-2-04, 05-14-04, 6-25-04, & 7-30-04 Nothing new has ever been filed. At hearing in July, it was stated that they were waiting for special needs trust.

Continued again from 8-27-04 & 9-24-04 & 12/3/04. Parties working on a settlement. Nothing filed re: status.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED: **prior notes remain the same**

1. Two petitions filed. One by Scott Christ, Grandson and other by Merry Amber. Scott Christ was appointed temporary on 5-8-03. Larry Christ was appointed Temporary Successor Conservator on 2-11-04.
2. Merry Amberg, niece, filed an objection to the appointment of Scott Christ. Mortgage in default under Scott Christ's conservatorship. Scott was ordered to file a bond for \$45,000 by 7-3-03. Bond continued to 7-25-03. At that hearing, bond waived by all parties. Parties stipulated to sale of mobile home.
3. Court trial was set for competing petitions, Scott Christ and Merry Amberg.

4. Scott Christ then petitioned that Larry Christ become the successor. Parties were working on a settlement. A special needs trust was to be prepared by Attorney Karen Horspool, attorney for conservatee. The purpose of the special needs trust was so that no one would need to be the conservator of the estate. The settlement called for Larry Christ to serve as the trustee with bond of \$15,000.
5. Ex parte petition to remove Scott due to problems with contacting him; conservatee needed medical care. Granted on 2-11-04, with Larry appointed as temporary successor. Will need to order an accounting from Scott Christ prior to discharge.
6. Issues regarding competing petitions:
 - a. Scott Christ petition
 - i. Need proof of mailing notice of hearing.
 - b. Merry Amberg petition
 - i. Proof of personal service of citation
 - ii. PC 2591 powers sought, need to provide specific information regarding powers sought and why so that court may make a ruling. Otherwise, recommend deny.

RECOMMENDATION:

Set case for MSC on competing petitions or possibly refer them to IVAMS. Prior to going to trial, all notice issues must be resolved. Set hearing date for accounting by Scott Christ for 4/21/06. Accounting to be filed 30 days in advance.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 10:01 DEPT: S5

CASE #: SC SS02437

CASE NAME: MTR RE FRED W SHEPHERD

HEARING:

1ST CURRENT Account and Report of VALERIE S KAPKO-ROOTS and
Petition for allowance of fees filed.

COUNSEL:

VALERIE S KAPKO-ROOTS (CPE)...HARTNELL HORSPOOL & FOX
FRED W SHEPHERD (CEP)...

GENERAL INFORMATION:

This case is set for hearing on 1st Account
Accounting period: 6/11/03 – 6/30/04 (13 months)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner alleges a reasonable fee is \$1,500, but request that she be authorized to waive compensation for this accounting period.
2. Attorneys request fees of \$2,396. Billed at various rates for attorney time (\$210.00 & \$250.00) for 7.6 hours and various rates for paralegal time (\$50.00 & \$100.00) for 5.4 hours. Itemized. JTD
3. Petitioner alleges that she paid Attorney Nancy Young, court-appointed attorney, the sum of \$450. Petitioner has paid her prior attorney, Roy Nierman, the sum of \$3773.24. **Note:** *Counsel has submitted a bill indicating that he has only received \$3,000 and \$773.24 is outstanding. Court may wish to inquire.*
4. Petitioner alleges her bond in the sum of \$275,000 is sufficient. However, the "market value" of the current estate is \$300,962.94 (Exhibit C, Schedule 1). Court should order an increased bond of \$30,000 for a total bond of \$305,000.

RECOMMENDATION: Court's discretion on fees and Court's determination of increased bond. Once approved, set next accounting review for 4/21/06. Accounting to be filed 30 days in advance.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 10:01 DEPT: S5

CASE #: SC SS02459

CASE NAME: MTR OF EDWARD C. KING

HEARING:
Accounting Review

COUNSEL:

EDWARD R. CHOW	(CPE)...TREDWAY LUMSDAINE & DOYLE
JOAN WYNNE	(CPE)...TREDWAY LUMSDAINE & DOYLE
EDWARD C. KING	(CEP)...JAMES B CHURCH
JOHN A BUNNETT	(TP)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on Accounting Review

First accounting is due for period 12/18/03 through 12/17/04.

Continued from 12/3/04 for more time to file accounting. Accounting not filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Still no accounting filed
2. In addition, no Inventory and Appraisal has been filed. More than a year has elapsed since the issuance of Letters of Conservatorship.

RECOMMENDATION: Suspend powers. Set OCS re: removal and surcharge. Send notice to bonding company, American Contractor's Indemnity Company

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 10:01 DEPT: S5

CASE #: SC SS02459

CASE NAME: MTR OF EDWARD C. KING

HEARING:
Petition for ATTORNEY'S FEES

	COUNSEL:
EDWARD R. CHOW	(CPE)...TREDWAY LUMSDAINE & DOYLE
JOAN WYNNE	(CPE)...TREDWAY LUMSDAINE & DOYLE
EDWARD C. KING	(CEP)...JAMES B CHURCH
JOHN A BUNNETT	(TP)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on Petition for Attorney's Fees by appointed counsel, James Church

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Attorney was appointed for conservatee. Requesting a total of \$1612.50 for 6.45 hour at \$250 per hour. Appears itemized. JTD

RECOMMENDATION: Petition appears procedurally complete. Judge to decide.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 10:01 DEPT: S5

CASE #: SC SS02479

CASE NAME: MTR RE BONITA ESPINOSA

HEARING:

FIRST CURRENT Account and Report of LAWRENCE A DEAN III and
Petition for allowance of fees filed.

COUNSEL:

LAWRENCE A DEAN III (CPE)...SHERRI L KASTILAHN
BONITA ESPINOZA (CEP)...ROBERT S WORLEY

GENERAL INFORMATION:

This case is set for hearing on 1st Account

Accounting period: 8/28/03 – 9/30/04 (13 months)

Assets on Hand: \$33,154.20, consisting of cash (\$2,153.20) and real property

Income Sources: Social Security and interest income

Monthly Disbursements (average): minimal, less than 3 per month (19 checks total for all
accounting period)

Location of Conservatee: own residence

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner requests compensation of \$4,121.80. Billed at various rates for various services not exceeding \$85.00/hour (average: \$46/hour) for 90.23 hours. Appears itemized. JTD
2. Petitioner requests a monthly allowance of \$250.00 per month towards future fees not to exceed 80% of the fees actually earned (annual fees estimated at \$5,000). This monthly allowance, if approved, would be over half of conservatee's monthly income. Appears excessive due to limited resources.
3. Attorney requests fees of \$3,087.50. Billed at \$190/hour for 16.25 hours. Appears itemized. JTD
4. Attorney requests reimbursement of costs of \$35.50 for certified copies. JTD

5. On 7/20/04 there is a homeowner's insurance premium paid to RM Sorenson totaling \$1,184.90. Assuming this premium is an annual premium, it appears high. In addition, conservatee's sister is also a joint owner on the residence. Question whether there may already be homeowner's insurance in place? File verified supplement re homeowner's insurance premium.
Supp. Filed: *Conservatee is co-owner of property with her sister. Sister pays expenses for maintenance and upkeep and conservatee pays insurance. This is the only policy.*
6. Bond currently fixed at \$10,000. Ok.
7. How does petitioner propose to pay compensation and fees when there is only \$2,153.20 on hand and conservatee's annual income is approximately \$4,000? Court may wish to inquire of petitioner and petitioner's counsel whether they are willing to reduce fees in light of the limited conservatorship estate resources. **Supp. Filed:** *Neither petitioner nor counsel are inclined to reduce their fees. Petitioner indicates that conservatee is a beneficiary of an estate currently being administered in Riverside County and the proposed distribution from the estate is sufficient to pay for the fees. Petitioner and counsel will wait for payment as distribution is expected this year.*

RECOMMENDATION: Nee Court's determination of fees. Once approved, Court to set next Accounting review for 2/9/07. Accounting to be filed 30 days in advance.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 10:01 DEPT: S5

CASE #: SC SS02536

CASE NAME: MTR OF BRANDY LITTLES

HEARING:

FIRST REPORT OF CONSERVATOR WITH WAIVER OF Account and Report of
VERDELL LITTLES and Petition for allowance of fees filed.

COUNSEL:

VERDELL LITTLES	(CPE)...HARTNELL HORSPOOL & FOX
BRANDY LITTLES	(CEP)...DONNASUE SMITH-ORTIZ

GENERAL INFORMATION:

This case is set for hearing on 1st Report on Waiver of Account
Report and Waiver of Account period: 11/25/03 – 11/24/04 (12 months)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner alleges waiver of account is proper per PC 2628 (property did not exceed \$7,500 and income less than \$1,000 per month)
2. Petitioner requests a reservation for compensation at a later date. JTD
3. Attorneys request a reservation for fees at a later date. JTD
4. Petitioner requests Court Investigator's fees to be waived due to no funds available to pay it. JTD
5. Inventory filed indicated0 there may be proceeds from a possible civil litigation suit for medical malpractice. Report does not indicate status of litigation. Court may wish to inquire regarding status.

RECOMMENDATION:

RFA subject to court's determination on reservation of fees. Once approved, set next Accounting Review for 2/9/07. Accounting to be filed 30 days before hearing.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

MISC.

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SC SS00840

CASE NAME: IN THE MATTER OF JOHN HAYDEN HOMBS

HEARING:
Accounting Review

COUNSEL:
JOHN HAYDEN HOMBS (CEP)...C.L. FARRELL
KARIN PAGNANELLI (CPE)...JONAS & DRISCOLL

GENERAL INFORMATION: This matter set for hearing on accounting review. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting has not been filed. Clerk has given notice.

RECOMMENDATION: When an accounting is not filed as required, the court shall cause notice to be given to conservator and attorney. The court shall set the accounting for hearing within 60 days. Failure to file the accounting as ordered or within 45 days of receipt of notice, whichever is longer shall constitute contempt. P.r. C. § 2620.2.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SC SS01150

CASE NAME: IN THE MATTER OF HELEN HITE REGISTER

HEARING:
Accounting Review

COUNSEL:

HELEN HITE REGISTER	(CEP)...	LERCH STURMER LLP
DOROTHY L DOWNS	(CP)...	KAREN E BLACK
REBECCA A KINSCHER	(CE)...	HARTNELL HORSPOOL & FOX

GENERAL INFORMATION: This matter is set for a hearing on accounting review.
Continued from December 3, 2004. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting not filed. Clerk has given notice.

RECOMMENDATION: Failure to file the accounting as ordered or within 45 days of receipt of notice, whichever is longer, shall constitute contempt. P.r. C. § 2620.2. Set matter for OSC re: contempt. Have counsel and personal representative personally served.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SC SS01340

SEE ALSO #17

CASE NAME: IN THE MATTER OF MARGARITA ESPINOZA

HEARING:
OSC re: Sanctions

COUNSEL:
MARGARITA M ESPINOZA (CEP)...
MICHAEL S GUSTAVSON (CPE)...
LAWRENCE A DEAN II (SC)...SHERRI L KASTILAHN

GENERAL INFORMATION: This matter is set for a hearing on OSC re: Surcharge and Failure to File Accounting by former conservator Michael Gustavson. Continued from March 5, 2004. Citation served on Gustavson on April 15, 2004. Continued from May 7, 2004, no appearance. Continued from July 16, 2004, Gustavson appeared. Minute order notes that Gustavson will have to hire counsel to assist him in preparing the accounting. Continued from July 30, 2004. No appearance. Citation ordered for failure to file accounting. Served on September 17, 2004. Continued from September 24, 2004, for Gustavson to get help. Continued from December 3, 2004—no appearance and no accounting.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting filed.

RECOMMENDATION: Find Gustavson in contempt. Sanction. Set for evidentiary hearing on surcharge.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SC SS01505

CASE NAME: MATTER OF VANESSA N JONES

HEARING:
Hearing Re: ACCOUNTING REVIEW.

COUNSEL:
LINDA P HELSPER (CPE)...HARTNELL HORSPOOL & FOX
VANESSA N JONES (CEP)...

GENERAL INFORMATION: This matter is set for a hearing on accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting has not been filed. Clerk has given notice.

RECOMMENDATION: Failure to file the accounting as ordered or within 45 days of receipt of notice, whichever is longer, shall constitute contempt. P.r. C. § 2620.2.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SC SS01676

CASE NAME: MTR OF WILLIAM F BURKE

HEARING:
Hearing re Final Discharge

COUNSEL:
LAWRENCE A DEAN II (CPE)...SHERRI L KASTILAHN
WILLIAM FRANCIS BURKE (CEP)...LERCH STURMER LLP

GENERAL INFORMATION: This matter is set for a hearing on filing of receipts and final discharge. Continued from November 19, 2004, at request of counsel to locate decedent's daughter. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No receipts or discharge order have been filed.

RECOMMENDATION: Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SC SS01913

CASE NAME: MTR RE GUY G STOBART

HEARING:
OSC re: SANCTIONS

COUNSEL:

TONY SANCHEZ	(CPE)...PRO/PER
ROBIN L SANCHEZ	(CPE)...PRO/PER
GUY G STOBART	(CEP)...EDWARD B FISCHER
JOHN D. MICKUS	(SC)...JOHN D MICKUS
US DEPT OF VETERANS AFFAIRS	(TP)...ALAN K ACHEN

GENERAL INFORMATION:

This case is set for hearing on OSC re: Suspension & Sanctions

This case originally set for hearing on Status of Accounting by Former Conservator
Only assets were VA checks. Attorney Moore appointed by Conservatee. Unclear
whether he was going to file an accounting or request a waiver of accounting.

Continued from 7/23/04 & 9/24/04 at request of counsel. Continued from December 3, 2004. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED:

1. No accounting filed.
2. Citations issued however no citation return has been submitted.

RECOMMENDATION: Suspend powers. Have Tony and Robin Sanchez personally
served.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SC SS02000

CASE NAME: MTR OF ERMAL RUBY BURNETT

HEARING:
Hearing Re: ACCOUNTING REVIEW.

COUNSEL:
JACKIE L. TUCKER (CPE)...HARTNELL HORSPOOL & FOX
ERMAL RUBY BURNETT (CEP)...

GENERAL INFORMATION: This matter is set for a hearing on accounting.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting filed. Clerk has given notice.

RECOMMENDATION: Failure to file the accounting as ordered or within 45 days of receipt of notice, whichever is longer, shall constitute contempt. P.r. C. § 2620.2.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SC SS02377

CASE NAME: MTR RE FRANCES WARREN

HEARING:
OSC re: Sanctions

	COUNSEL:
FRED WARREN	(CPE)...PRO/PER
FRANCES WARREN	(CEP)...LENITA A SKORETZ
GERALD WARREN	(CPE)...LENITA A SKORETZ

GENERAL INFORMATION: This case is set for hearing on OSC re: Removal of Conservator & Sanctions
Temporary letters issued to Fred Warren on 3-24-03. Funds to be placed in blocked account. Temporary letters terminated on 8-8-03.

Temporary successor letters issued to Gerald Warren on 8-8-03. Conservatee died on 9-26-03. Need accounting by Gerald Warren for that period.

On 4-2-04, court appointed Attorney Skoretz to assist in closing out the estate, as no accounting had been filed.

Continued from 9/17/04 and December 3, 2004. At last hearing, court stated that accounting from former conservator, Fred Warren, was required unless heirs filed waivers.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. Heirs have filed waiver of accounting by Gerald Warren, the successor conservator.
2. Accounting is required of Fred Warren, the temporary conservator, unless the heirs file waivers on him, too. **Clinton Warren, Phillip Warren and Nell Warren Lartey have filed waivers of accounting of Fred Warren. Still**

need waiver from Gerald Warren, Carol Warren Todd and Byron Warren. Are these relatives going to be filing waivers? If not, Fred Warren must file an accounting.

RECOMMENDATION: Need personal service on Fred Warren.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SC SS02380

CASE NAME: MATTR OF JESUS L NAVAS

HEARING:
Hearing re Final Discharge

	COUNSEL:
CRISTINA ROMERO	(CPE)...HARTNELL HORSPOOL & FOX
JESUS L NAVAS	(CEP)...SHERRI L KASTILAHN
ELKE L. COFFEY	(OBJ)...JOHN M RAGER

GENERAL INFORMATION: This matter is set for a hearing on filing of receipts and final discharge. Continued from December 3, 2004, at request of counsel. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Receipts and final discharge not filed. Clerk to give notice.

RECOMMENDATION: Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SC SS02603

CASE NAME: MATTER OF VANESSA J GAYTAN

HEARING:

Hearing Re: Inventory & Appraisal.

COUNSEL:

OLIVIA TELLEZ (CPE)...PRO/PER
VANESSA J GAYTAN (CEP)...E. JOAN NELMS

GENERAL INFORMATION: This case is set for hearing re: Inventory & Appraisal
Continued from 9/24/04 and December 3, 2004, at request of counsel for more time to file I & A. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Supplemental I & A filed. No Attachment 1 attached listing separate bank accounts. Copies of bank statements attached but balances do not total \$30,211 as reflected on the I & A face sheet (balances total \$37,432.24). Balances and copies of bank statements also need to be as of the date of appointment per PC 2610. File corrected I & A.

RECOMMENDATION:

Need Corrected Inventory. If inventory and appraisal not filed, court may wish to set the matter for an OSC re failure to file. If so, citation will have to be issued.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SC SS02635

CASE NAME: MTR OF JOSEPH B MONTELONGO

HEARING:
OSC re: Suspension/Sanctions

COUNSEL:
ERNEST C MONTELONGO (CPE)...PRO/PER
JOSEPH B MONTELONGO (CEP)...

GENERAL INFORMATION: This matter is set for a hearing on OSC re:
Suspension/Sanctions for failure to appear and file an inventory and appraisal. Continued
from September 10, and December 3, 2004. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Inventory and appraisal not filed.

RECOMMENDATION: Set OSC re: Removal, Sanctions and Surcharge. Issue citation
and have it personally served.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SC SS9016

VACATED – ACCT FILED

CASE NAME: IN THE MTTR OF RONALD NORTH

HEARING:
Accounting Review

	COUNSEL:
RONALD NORTH	(CEP)...JUDITH LYNN PILSON
MELODIE Z SCOTT	(CPE)...J. DAVID HORSPOOL

GENERAL INFORMATION: This matter is set for a hearing on 14th Accounting review.
Continued from December 3, 2004.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting has been filed.

RECOMMENDATION: Vacate.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SG SS03076

CASE NAME: MATTER OF SUSAN M PARIZEK

HEARING:
OSC re: Suspension Of Powers/Sanctions

COUNSEL:
JEFFERY PARIZEK (GE)...GEORGE LASKO & ASSOCIATES
SUSAN MARIE PARIZEK (MIN)...

GENERAL INFORMATION: This matter is set for a hearing on OSC re: Suspension of Powers/Sanctions. Court sent notice of the OSC to Attorney Lasko who is no longer a member of the bar. Notice should have been sent to Harry Brown, who appeared for Guardian in order to obtain order for withdrawal of funds from blocked account. (See Minute Order of June 18, 2004.) Continued from September 24, 2004—no appearance by counsel and failure to file 2nd account. Continued from December 3, 2004—no appearance by counsel and failure to file account. Jeffery Parizek has been cited by the court.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Nothing new filed.

RECOMMENDATION: Set matter for OSC re: removal.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPASS4901

CASE NAME: IN THE ESTATE OF ANN G YOEST

HEARING:
Accounting Review

	COUNSEL:
ANN G YOEST	(DEC)...
MICHAEL J MOLLOY	(TP)...MICHAEL J. MOLLOY
JASON ROJESKI	(SNYDER, HANCOCK & ASHWORTH)...SNYDER, H
JO KATHLEEN GUAY	(SNYDER, HANCOCK & ASHWORTH)...SNYDER, H
ROXANNE O'BRIEN	(SNYDER, HANCOCK & ASHWORTH)...SNYDER, H
KIMBERLY J DYER	(SNYDER, HANCOCK & ASHWORTH)...SNYDER, H

GENERAL INFORMATION: This matter is set for a hearing on Accounting review.
Continued from December 3, 2004, -- no appearance.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. This proceeding was a summary proceeding pursuant to Pr.C. § 7660(a)(1).
2. On March 18, 2002, the Public Administrator filed its Statement of Disposition per Pr.C. § 7665(a). However, receipts for distributions were not attached to said Statement as required by P.r. C. § 7665(a). There were four distributions to beneficiaries under the Will, together with fees paid to the Public Administrator and its attorney (Savage).
3. Receipts have not been filed.

RECOMMENDATION: Need to file receipts.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS02996

CASE NAME: IN THE MATTER OF MICHAEL D MCGARY

HEARING:
Hearing Re: ACCOUNTING REVIEW.

COUNSEL:
MICHAEL D MCGARY (DEC)...
SHANNON M MCGARY (PET)...MICHELE L VARANESE

GENERAL INFORMATION: This matter is set for a hearing on Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting has not been filed. Clerk has given notice.

RECOMMENDATION: Determine status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS04403

CASE NAME: ESTATE OF KATHERINE M TIMM

HEARING:
Hearing re: FINAL DISCHARGE

COUNSEL:
PUBLIC ADMINISTRATOR (PET)...SWARNER & FITZGERALD
KATHERINE M TIMM (DEC)...
REDWOOD MANOR INC (TP)...JAN COPLEY

GENERAL INFORMATION: This matter is set for a hearing on receipts and final discharge. Originally continued from September 10, 2004. Most recently continued from December 3, 2004 due to non-appearance. Clerk has given notice. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Still need receipts from The Bishop of the San Bernardino Diocese.
2. Need final discharge order.

RECOMMENDATION: Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05122

CASE NAME: ESTATE OF GLORIA S. BERMUDEZ

HEARING:
OSC re: SUSPENSION OF POWERS/SANCTIONS

COUNSEL:
STELLA VILLALOBOS (PET)...PRO/PER
GLORIA S. BERMUDEZ (DEC)...

GENERAL INFORMATION: This matter is set for a hearing on OSC re: Suspension/Sanctions. Matter originally set for OSC re: Removal for failure to file I&A and accounting. I &A filed on September 16, 2004 which states that all assets of estate have already been liquidated and split among the beneficiaries. Continued from December 24, 2004 –no appearance by petitioner. Clerk's office sent notice to Stella Villalobos but address incomplete. Petitioner appeared on December 3, 2004, and matter continued to allow petitioner to file documents. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting filed. Notice has been given.

RECOMMENDATION: When the personal representative does not file an accounting as required, the court shall compel the account by punishment for contempt. Pr.C. § 11050. Issue a citation and have it personally served for OSC re: Why the Personal Representative should not be punished for contempt. If the personal representative does not appear and file the accounting, the representative may be punished for contempt or removed from office or both. Pr.C. § 11052.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05158

CASE NAME: ESTATE OF ROXIE NIX

HEARING:
OSC re: Suspension/Sanctions

	COUNSEL:
LUCILLE J SILK	(PET)...ROBERT J SPITZ
ROXIE NIX	(DEC)...

GENERAL INFORMATION: This case is set for hearing on OSC re: Status of Accounting
Continued from 9/24/04 at request of counsel for more time to submit accounting

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Still no accounting or status report filed.
2. Counsel Spitz has submitted Declaration of Patte J. Sensenbaugh, his secretary. She indicates that she has contacted administrator by phone and letter and administrator is non-responsive.

RECOMMENDATION:

Failure to file the account within the time extended by the Court shall constitute contempt of the authority of the Court as described in Section 1209 of the Code of Civil Procedure (PC 11050 et seq.)

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05182

CASE NAME: EST OF BENJAMIN L COWAN

HEARING:
Hearing Re: FINAL DISCHARGE.

COUNSEL:
MOLLEEN COWAN (PET)...BRUNICK BATTERSBY MCELHANEY &
BENJAMIN L COWAN (DEC)...

GENERAL INFORMATION: This matter is set for a hearing on receipts and final discharge. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Receipts have not been filed.
2. Need final discharge order.

RECOMMENDATION: Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05244

CASE NAME: ESTATE OF MIKE A. POPSON

HEARING:
Accounting Review

	COUNSEL:
MARY ANN VINE	(PET)...WILSON,BORROR, DUNN & DAVIS
MIKE A. POPSON	(DEC)...
OLGA KRASIESKI	(TP)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on Accounting Review

Continued from 9/10/04 & 12/3/04. Counsel advises Court that reason for delay in filing accounting is due to two notes which are in default.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Still no accounting or status report filed. Counsel could minimally file a status report per PC 12200

RECOMMENDATION:

Find out status

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05285

CASE NAME: ESTATE OF DENNIS M GROSSHEIM

HEARING:
Hearing Re: ACCOUNTING REVIEW.

COUNSEL:

DAVID GROSSHEIM	(PET)...	ELISABETH KEMPE-OLINGER
DENNIS M GROSSHEIM	(DEC)...	
LINDA GROSSHEIM	(TP)...	PRO/PER

GENERAL INFORMATION:

This case is set for hearing on Accounting Review
Letters Testamentary were issued 5/2/03

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No Accounting or status report filed. An order for preliminary distribution was granted on November 4, 2004.
2. Supplemental inventory and appraisal has been filed.

RECOMMENDATION:

Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05289

CASE NAME: EST OF VICTOR PORTILLO PARRA

HEARING:
OSC re: Suspension/Sanctions

COUNSEL:
ELVI MIRELLA VILLA SALAZAR (PET)...EDWIN J GOOZE
VICTOR PORTILLO PARRA (DEC)...

GENERAL INFORMATION:

This case is set for hearing on OSC re: Suspension/Sanctions
Continued from 7/30/04, 8/2/04 & 9/10/04. On 9/10/04 there was no appearance by
counsel or administrator and no accounting filed.

Last Continued from 12/3/04 at request of counsel. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Status Report filed on 6/28/04 indicated that issue re: discrepancy between
appraised value and county assessor's value of the property.
2. Never filed notice of hearing that complies with PC 12201 from 6/28/04.

RECOMMENDATION:

Court may wish to have citation issued on OSC re: Suspension/Sanctions and have it
personally served. Court may consider contempt against Attorney Gooze for failure to
appear at first two hearings and file proof of service on status report.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05338

CASE NAME: ESTATE OF WILLIAM CHARLES LEE

HEARING:
Hearing Re: FINAL DISCHARGE.

COUNSEL:
DENNIS A LEE (PET)...RICHARD WILLIAM STRONG
WILLIAM CHARLES LEE (DEC)...

GENERAL INFORMATION:

This case is set for hearing re: Final Discharge

Order for Distribution granted on 12/12/03 (only asset distributed was in kind real property)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No Receipts/Discharge filed.

RECOMMENDATION:

Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05350

CASE NAME: MTTR OF DAVID HILL SPECIAL NEEDS TRUST

HEARING:
Hearing Re: ACCOUNTING REVIEW.

COUNSEL:
PFF BANK & TRUST (TEE)...ALTHOUSE & MCDONOUGH

GENERAL INFORMATION:
This case is set for hearing on Accounting Review
Accounting is due for period 1/1/03 – 12/31/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Status report filed indicating that Second Account Current is in the process of being prepared and should be filed within 60 days.

RECOMMENDATION: Continue to April 22, 2005, for accounting review.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05373

CASE NAME: ESTATE OF ROBERT J SANDERSON

HEARING:
OSC re: Suspension/Sanctions

COUNSEL:
TIFFANY MARIE SANDERSON (PET)...DIANA DIMAGGIO
ROBERT J SANDERSON (DEC)...
VALERIE J VETRONE (OBJ)...MARTIN E KELLER

GENERAL INFORMATION:
This case is set for hearing on OSC re: Suspension/Sanctions

Hearing was set on 9-10-04 when neither administrator nor counsel appeared at Accounting Review hearing. I & A filed, but no bank statements. No accounting filed. **Continued from 12/3/04 at request of counsel for more time to submit accounting. Attorney DiMaggio submits notice of unavailability that states she will be unavailable from February 4, 2005 through February 22, 2005.**

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Bank statements still due on I & A
2. Still no accounting filed
3. The parties have been before the court on 11-4-04 regarding a discovery motion

RECOMMENDATION:
Need to complete I & A and file accounting. Continue matter to a date when Attorney DiMaggio is available. Suggest 3/4/05.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05387

CASE NAME: ESTATE OF ORLEA S MARSH

HEARING:
Accounting Review

COUNSEL:
ANNE M VAN HULLE (PET)...WILSON,BORROR, DUNN & DAVIS
ORLEA S MARSH (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Accounting Review

Accounting is due for period 7/11/03 – 7/11/04

Continued from 9/10/04 & 12/3/04 at request of counsel to complete sale of residence. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. I & A filed, but still need bank statements
2. Still no accounting or Status Report filed.

RECOMMENDATION:

Find out status

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05394

CASE NAME: ESTATE OF JUNIOR R WAND

HEARING:
Accounting Review

	COUNSEL:
ROBIN LEE WAND	(PET)...ROBERT H MOORE
JUNIOR R WAND	(DEC)...
BERNARD M BIDART	(TP)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on Accounting Review

Continued from 10/1/04 as the counsel was unable to attend the hearing on that date.

Last continued from 11/19/04 at request of counsel for additional time to complete the accounting. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Still no accounting or Status Report filed.

RECOMMENDATION:

Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05395

CASE NAME: EST OF DONALD CHARLES HENYAN

HEARING:
Accounting Review

COUNSEL:
SHANNON HENYAN (PET)...CARL G EHMANN
DONALD CHARLES HENYAN (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Accounting Review
Administrator appointed on 7/18/03. However, an Order for Probate or Letters of
Administration have not been filed. Bond was waived. Only property alleged in probate
was real property at an approximate value of \$200,000.

Continued from 9/17/04 & 12/3/04 at request of counsel

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No I & A filed. Overdue since November, 2003.
2. No accounting or status report filed.

RECOMMENDATION:

Set OSC re: Sanctions & Removal. Issue citation and have it personally served.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05451

CASE NAME: TRUST OF THOMAS WHEELER

HEARING:
Hearing Re: Status Of Settlement.

COUNSEL:
RAYNARD L. WHEELER SR. (PET)...HANKE & WILLIAMS
MARY POTTS (STE)...CHARLES S ALTHOUSE

GENERAL INFORMATION:

This case is set for hearing on Status of Settlement

At hearing on 10/22/04, Court directs Attorney Nevis (then attorney for Mary Potts) to submit an updated accounting & objections by 11/30/04. Court further orders Attorney Hanke (attorney for Raynard Wheeler, Sr) to submit an amended petition and response within 10 days and file an ex parte application regarding attorney fees requested within 7 days (with notice).

Attorney Nevis filed an accounting on 11/30/04, however, no objections are filed. Mary Potts then substitutes Attorney Althouse as her attorney on 12/17/04.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Updated accounting filed by Attorney Nevis on 11/30/04.
2. No other documents filed.

RECOMMENDATION:
None.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05800

CASE NAME: MTR OF BRIAN BYRNE

HEARING:
Hearing Re: INVENTORY AND APPRAISAL.

	COUNSEL:
SANDRA BYRNE	(PET)...PRO/PER
BRIAN BYRNE	(DEC)...

GENERAL INFORMATION:
This case is set for hearing on Inventory and Appraisal
Letters Testamentary issued 7/2/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No I & A filed

RECOMMENDATION:
Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05880

SEE ALSO #5

CASE NAME: ESTATE OF WALTER E ALLEN

HEARING:
OSC re: SUSPENSION/SANCTIONS

COUNSEL:
SUSAN M ROBERTS (PET)...PRO/PER
WALTER E ALLEN (DEC)...

GENERAL INFORMATION: This matter is set for a hearing on OSC re:
Suspension/Sanctions stemming from failure to file I&A. Continued from December 17,
2004, to be heard concurrently with OSC re: Status of Real Property #5 on the calendar.
Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Inventory and appraisal not filed. Clerk has given notice.

RECOMMENDATION: None.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05920

VACATE – FINAL INVENTORY FILED 12/1/04

CASE NAME: MTR OF ELAINE C WOOD

HEARING:

Hearing Re: FILING OF INVENTORY AND APPRAISAL.

COUNSEL:

RICK WAYNE KRAUSE (PET)...CARL G EHMANN
ELAINE C WOOD (DEC)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05922

CASE NAME: MTR OF GLADYS J WISDOM

HEARING:
Hearing Re: FILING OF INVENTORY & APPRAISAL.

COUNSEL:
LYNN J VAN HORN (PET)...HARTNELL HORSPOOL & FOX
GLADYS J WISDOM (DEC)...

GENERAL INFORMATION:
This case is set for hearing on filing of Inventory & Appraisal
Letters Testamentary issued 8/18/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No I & A filed

RECOMMENDATION:
Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05924

CASE NAME: ESTATE OF ROY REEVES

HEARING:

Hearing Re: FILING INVENTORY AND APPRAISAL.

COUNSEL:

ROY W REEVES II (PET)...PAUL GAINES
ROY REEVES (DEC)...
BOND SERVICES OF CALIFORNIA (TP)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on filing Inventory & Appraisal
Letters of Administration issued 7/2/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No I & A filed
2. Bond Services of California has filed a Request for Special Notice on
 delinquent premiums.

RECOMMENDATION:

Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05925

CASE NAME: EST OF MICHAEL DARRELL RUFF

HEARING:

Hearing Re: Inventory & Appraisal.

COUNSEL:

WILLIAM ALLEN RUFF JR (PET)...TUNISON-CAMPBELL & NORTON
MICHAEL DARRELL RUFF (DEC)...

GENERAL INFORMATION:

This case is set for hearing on filing Inventory & Appraisal
Letters of Administration issued 7/16/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Partial No. 1 Inventory & Appraisal filed 9/8/04. Partial No. 2 inventory and appraisal has also been filed. Court may wish to inquire when Final Inventory will be complete.

RECOMMENDATION:

Find out status of Final Inventory.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05927

VACATE – FINAL INVENTORY FILED 11/5/04

CASE NAME: ESTATE OF THOMAS MANGIONE

HEARING:

Hearing Re: FILING OF INVENTORY & APPRAISAL.

COUNSEL:

THOMAS M. MANGIONE (PET)...PRO/PER
THOMAS MANGIONE (DEC)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05929

CASE NAME: MTR OF GLADYS M ROSENGREN

HEARING:
Hearing Re: FILING INVENTORY AND APPRAISAL.

COUNSEL:
SALLY BALDWIN (PET)...HARTNELL, HORSPOOL & FOX
GLADYS M ROSENGREN (DEC)...

GENERAL INFORMATION:
This case is set for hearing on filing Inventory & Appraisal
Letters of Administration filed 9/1/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No I & A filed

RECOMMENDATION:
Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05930

VACATE – FINAL INVENTORY FILED 8/31/04

CASE NAME: MTR OF JOSEPH P COLEMAN

HEARING:

Hearing Re: FILING INVENTORY AND APPRAISAL.

COUNSEL:

MELODIE Z SCOTT (PET)...HARTNELL HORSPPOOL & FOX
JOSEPH P COLEMAN (DEC)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05932

VACATE – FINAL INVENTORY FILED 11/10/04

CASE NAME: ESTATE OF CHRISNA LIM

HEARING:
Hearing Re: FILING INVENTORY & APPRAISAL.

SOKANHA VONG	COUNSEL:
CHRISNA LIM	(PET)...DAVID T KALISH
	(DEC)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05934

VACATE – FINAL INVENTORY FILED 8/9/04

CASE NAME: EST OF LELA LOVINA BANKS

HEARING:
Hearing Re: FILING INVENTORY & APPRAISAL.

COUNSEL:
BILLIE R BANKS (PET)...M SUE KRAFT
LELA LOVINA BANKS (DEC)...
DEPARTMENT OF HEALTH SERVICES (TP)...PRO/PER

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05940

CASE NAME: EST OF HELEN R MASSEY

HEARING:
Hearing Re: FILING INVENTORY & APPRAISAL.

COUNSEL:
ROBERT R MASSEY (PET)...PRO/PER
HELEN R MASSEY (DEC)...

GENERAL INFORMATION:
This case is set for hearing on filing Inventory & Appraisal
Letters of Administration issued 7/12/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No I & A filed

RECOMMENDATION:
Find out status

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

MISC. 1:30

DATE: 02/04/05 TIME: 1:30 DEPT: S5

CASE #: SC SS01628

CASE NAME: MTR RE OLIVER NEWMAN

HEARING:
Hearing re Final Discharge

COUNSEL:

MELODIE Z SCOTT	(CPE)...HARTNELL HORSPOOL & FOX
OLIVER NEWMAN	(CEP)...DONNA LEE STURGILL DIAZ
CHERYL RAE NEWMAN	(PET)...SKORETZ & CHURCH

GENERAL INFORMATION:

This case is set for hearing on filing Final Discharge by Melodie Scott, former conservator Order Settling 3rd & Final Account approved 12/5/03

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Still need Receipt by Melodie Scott as Trustee of the Oliver L. and Germaine F. Newman Trust and Final Discharge as conservator of the person and estate

RECOMMENDATION:

Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 1:30 DEPT: S5

CASE #: SC SS02506

VACATE – FINAL DISCHARGE ENTERED 9/28/04

CASE NAME: MTTR OF GABRIEL GARCIA

HEARING:
Accounting Review

	COUNSEL:
STEVE GARCIA	(CE)...EDWARD B FISCHER
GABRIEL GARCIA	(CTE)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 1:30 DEPT: S5

CASE #: SC SS02511

VACATED – ACCT FILED

CASE NAME: MTR OF CHERYL CLAYTON

HEARING:
Accounting Review

COUNSEL:
INLAND COUNTIES REGIONAL CNTR (CE)...BRUNICK BATTERSBY MCELHANEY
CHERYL CLAYTON (CTE)...

GENERAL INFORMATION:
This case is set for hearing on Accounting Review
1st Accounting is due for period 12/5/03 – 12/5/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Account has been filed.

RECOMMENDATION: Vacate hearing.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 1:30 DEPT: S5

CASE #: SC SS02513

VACATED – ACCT FILED

CASE NAME: MTR OF CLENTION TIDWELL

HEARING:
Accounting Review

COUNSEL:
INLAND COUNTIES REGIONAL CNTR (CE)...BRUNICK MCELHANEY & BECKETT
CLENTON TIDWELL (CTE)...

GENERAL INFORMATION:

This case is set for hearing on Accounting Review
1st Accounting is due for period 12/5/03 – 12/5/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Accounting has been filed.

RECOMMENDATION: Vacate hearing.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 1:30 DEPT: S5

CASE #: SPASS4945

CASE NAME: ESTATE OF NELLY PAVIA

HEARING:
Accounting Review

COUNSEL:

PUBLIC ADMINISTRATOR (PET)...GRESHAM SAVAGE NOLAN & TILDEN
NELLY PAVIA (DEC)...
FREDERICK J SEYMOUR (SPA)...SACKS GLAZIER FRANKLIN & LODIS
DEPT. OF HEALTH SERVICES (TP)...PRO/PER
CAROLINE ROLLAND LEBOURG (HARTNELL HORSPOOL & FOX
)...HARTNELL
LAURENT ALEXANDRE (HARTNELL HORSPOOL & FOX)...HARTNELL

GENERAL INFORMATION:

This case is set for hearing on Accounting Review
Letters of Administration issued 12/10/03
Accounting or Status Report is due for period 12/10/03 – 12/10/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No accounting or status report filed.
2. In addition, no Inventory & Appraisal has been filed, overdue since March, 2004

RECOMMENDATION:

Find out status

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/04/05 TIME: 1:30 DEPT: S5

CASE #: SPRSS05601

CASE NAME: EST OF DENNIS PATRICK O'NEIL

HEARING:
Accounting Review

COUNSEL:
PATRICIA HOYING (PET)...FULLERTON LEMANN SCHAEFFER &
DENNIS PATRICK O'NEIL (DEC)...

GENERAL INFORMATION:
This case is set for hearing on Accounting Review
Letters Testamentary issued 12/5/03

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No accounting or status report filed.

RECOMMENDATION:
Find out status.